

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 09/920,240  
Filing Date: August 1, 2001  
Applicant: Pierte Roo  
Group Art Unit: 2618  
Examiner: Eugene Yun  
Title: ACTIVE RESISTIVE SUMMER FOR A TRANSFORMER  
HYBRID  
Attorney Docket: MP0039.CIP

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**PRE-APPEAL BRIEF REQUEST FOR REVIEW**

Applicant requests a Pre-Appeal Brief Conference and contend that the combination of Dankberg (U.S. Pat. No. 5,596,439), Sallaway et al. (U.S. Pat. No. 7,050,517), and Rabenko et al. (U.S. Pat. No. 6,765,931) fails to teach or suggest all of the elements of the presently pending claims.

### **STATUS OF CLAIMS**

Claims 1, 12, 24, 37, 48, 61, 74, 85 and 98 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Dankberg (U.S. Pat. No. 5,596,439) in view of Sallaway et al. (U.S. Pat. No. 7,050,517) and further in view of Rabenko et al. (U.S. Pat. No. 6,765,931). Claims 2-11, 13-23, 25-36, 38-47, 49-53, 62-73, 75-84, 86-90, 92-97 and 99-110 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Dankberg in view of Sallaway and Rabenko, and further in view of Patel (U.S. Pat. No. 5,175,764).

### **SUMMARY OF CLAIMED SUBJECT MATTER**

Independent claim 1 recites an electrical circuit in a communications channel. The electrical circuit includes first and second sub-circuits. The first sub-circuit has a first input which receives a composite signal that includes a transmission signal component and a receive signal component, a second input which receives a replica transmission signal, a third input which receives an analog baseline correction current, and an output which provides a receive signal which comprises the composite signal minus the replica signal. The second sub-circuit controls the analog baseline correction current so that the magnitude of the composite signal does not exceed a predetermined value of an operating parameter of the electrical circuit. The composite signal, the replica transmission signal, and the analog baseline correction current are directly connected together at a common node of the first sub-circuit. In other words, the three inputs of the first sub-circuit are all connected together at a common node of the first sub-circuit.

The remaining independent claims recite similar subject matter.

## ARGUMENT

With respect to claim 1, Dankberg, either alone or in combination with Sallaway and Rabenko, fails to show, teach, or suggest at least that the composite signal, the replica transmission signal, and the analog baseline correction current are directly connected together at a common node of the first sub-circuit.

As shown in an exemplary embodiment in FIG. 11 of the present application, an active resistive summer (i.e. a first sub-circuit) includes an operational amplifier with a negative input terminal. The negative input terminal receives, as inputs, a composite signal  $V_{txRL}$ , a replica signal  $V_{txR}$ , and an analog baseline correction current  $I_{bl}$ . The composite signal  $V_{txRL}$ , the replica signal  $V_{txR}$ , and the analog baseline correction current  $I_{bl}$  are connected together at the negative input terminal. In other words, the signals are directly connected together at a common node of the first sub-circuit.

The Examiner acknowledges that Dankberg fails to disclose that the composite signal, the replica transmission signal, and the baseline correction current are connected together at a common node. Initially, the Examiner relied on He (U.S. Pat. No. 6,870,881) to disclose this limitation. However, He still fails to disclose that the three signals are directly connected together at a common node. (See Pages 27-28 of the Preliminary Amendment filed February 19, 2008.)

The Examiner now acknowledges that He failed to disclose this limitation and instead relies on Sallaway to disclose that a composite signal, a replica transmission signal, and a baseline correction signal are directly connected together at a common node of a first sub-circuit, citing element 511-j in FIG. 5B as the common node. (See Page 3, Lines 8-12 of the Office Action mailed May 28, 2008). Applicant respectfully

submits that Sallaway fails to disclose any three inputs connected together at a common node of the alleged first sub-circuit and the Examiner fails to provide any evidence in support of this allegation.

For example, as shown below in FIG. 5B of Sallaway, element 511-j does not include three inputs directly connected together:

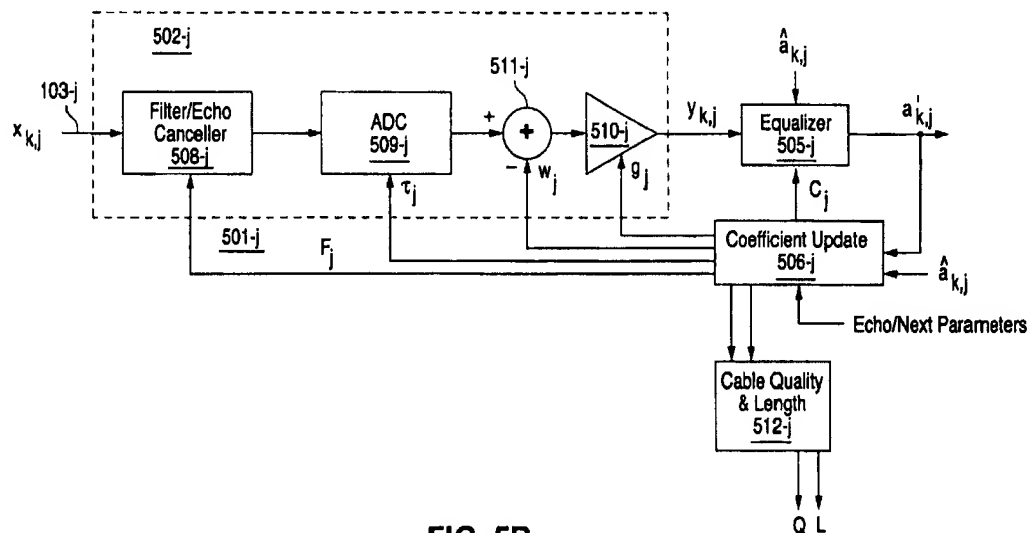


FIG. 5B

Instead, as best understood by Applicant, element 511-j receives a first input at a positive terminal from ADC 509-j and a second input  $w_j$  at a negative terminal from coefficient update 506-j. Initially, Applicant respectfully notes that the inputs to 511-j are not “directly connected together” and instead are received at different terminals.

Further, even if these signals are “directly connected together,” which Applicant does not concede, only two input signals are connected to the alleged node 511-j. Applicant respectfully notes that the Examiner abstractedly refers to element 508-j as disclosing the composite signal and the replica transmission signal, but fails to indicate how this element relates to any signals directly connected together at the alleged node

511-j. For example, the element 509-j receives two signals and outputs a single signal to the ADC 509-j. The ADC 509-j provides a single signal to the node 511-j. Accordingly, Sallaway appears to be absent of any teaching or suggestion of a sub-circuit that includes a composite signal, a replica transmission signal, and an analog baseline correction current connected together at a common node as claim 1 recites.

In view of the foregoing, Applicant respectfully submits that Dankberg fails to disclose that the three signals are directly connected together at a common node. Sallaway fails to make up for the deficiencies of Dankberg and is absent of any teaching or suggestion of directly connecting the signals together at a common node. As such, combining Dankberg with Sallaway and/or Rabenko still fails to disclose the elements of claim 1.

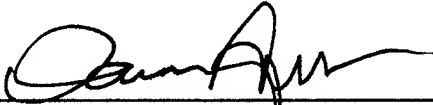
Applicant respectfully submits that claim 1, as well as its dependent claims, should be allowable for at least the above reasons. Claims 12, 24, 37, 48, 61, 74, 85, and 98, as well as their corresponding dependent claims, should be allowable for at least similar reasons.

Respectfully submitted,

Dated: August 25, 2008

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